IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO.135 OF 2006
IN
APPEAL NO.22 OF 2006
IN
COMPANY APPLICATION NO.376 OF 2000
IN
COMPANY PETITION NO.466 OF 1995

Allahabad Bank .. Appellant
v/s.
M/s.Rossel Finance Ltd. and others. .. Respondents

Mr.Shailesh Shah with Ms.Usha Srivastava i/by M/s.Consulta Juris for the appellant-applicant.

Mr.M.P.S.Rao i/by Ms.U.M.Jhaveri for the respondent No.3.

Ms.Gautam Dol, Assistant Official Liquidator present.

CORAM : R.M. LODHA &
ANOOP V.MOHTA, JJ.

DATED : 16TH FEBRUARY, 2006.

P.C.

Heard.

2. We are informed by the learned counsel for the appellant-applicant and that is not disputed by the learned counsel for the respondent No.3 that on 12th January, 2006, the only office objection that remained in filing the appeal was concerning the delay. Obviously that could not have been

removed unless the delay was condoned by the court.

3. We, accordingly, recall the order of dismissal of the appeal.

4. Appeal (Lodging) No.447 of 2005 is restored to file.

5. Since the appeal is barred by time and notice of motion No.2840 of 2005 has been taken out by the appellant for condonation of delay, office is directed to post the notice of motion No.2840 of 2005 on 24th February, 2006.

(R.M.LODHA, J.)

(ANOOP V. MOHTA, J.)